

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM JOHNSON,

Plaintiff,

v.

DR. VERNON PRESTON *et al.*,

Defendants.

No. 4:22-CV-00420

(Chief Judge Brann)

**ORDER**

**MARCH 10, 2023**

In accordance with the accompanying Memorandum Opinion, **IT IS  
HEREBY ORDERED** that:

1. Corrections Defendants' Rule 12(b)(6) motion to dismiss for failure to allege personal involvement and failure to state a claim, Doc. 15, is **GRANTED**.
2. Medical Defendants' Rule 12(b)(6) motion to dismiss for failure to allege personal involvement, Doc. 16, is **GRANTED**. Medical Defendants' motion for summary judgment, Doc. 16, is voluntarily **WITHDRAWN**.
3. Plaintiff's complaint against Defendant, Dr. Fisher, is **DISMISSED**, *sua sponte*, under the screening provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to allege personal involvement.
4. Plaintiff's claims against Defendants Preston, Correct Care Solutions, Ellers, Vangorder and Fisher are **DISMISSED** without prejudice.

5. Plaintiff may file an amended complaint on or before **April 10, 2023** to cure the deficiencies identified in the Court's Memorandum Opinion.
6. Any amended complaint filed pursuant to this Order shall be filed to the same docket number as the instant action, shall be entitled "Amended Complaint," and shall be complete in all respects. It shall be a new pleading that stands by itself as an adequate complaint under the Federal Rules of Civil Procedure.
7. If Plaintiff does not file an amended complaint by the above date, Plaintiff's claims against defendants Preston, Correct Care Solutions, Ellers, Vangorder and Fisher will be dismissed without further leave to amend for the reasons stated in the accompanying memorandum, and the case will be closed.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge